

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document was signed electronically at the time and date indicated, which may be materially different from its entry on the record.



Dated: 07:51 AM August 15, 2022

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO**

**IN RE:** : Chapter 13 Proceedings  
Kevin Lee Shearer, : Case No. 19-62544  
**Debtor.** : Judge Russ Kendig

**JOINT STIPULATION AND AGREED ENTRY MODIFYING 5.1 OF THE  
CONFIRMED PLAN TO REQUIRE A DIVIDEND OF ONE HUNDRED  
PERCENT (100%) IN ORDER TO EARN A DISCHARGE**

Now comes Chapter 13 Trustee, Dynele L. Schinker-Kuharich, and Debtor(s), Kevin Lee Shearer, by and through the undersigned counsel, and jointly stipulate and agree to the following:

1. This case was filed under Chapter 13 of the United States Bankruptcy Code on December 20, 2019.
2. The Plan was confirmed on June 12, 2020.
3. The Plan is feasible and is currently paying the allowed nonpriority unsecured claims that are not separately classified a dividend of one hundred percent (100%).
4. Upon review of the 2021 federal income tax return, the gross annual income for Debtor(s) has increased from approximately \$100,548.24 at the time of plan confirmation to approximately \$112,971.00. This is an annual increase of approximately \$12,422.76.

5. 11 U.S.C. §1322(a) requires submission of all or such portion of future earnings or other future income of the debtor to the supervision and control of the trustee as is necessary for the execution of the plan.
6. Because the Plan is currently paying a one hundred percent (100%) dividend to the allowed nonpriority unsecured claims that are not separately classified, and because Debtor(s) do(es) not desire to increase the Chapter 13 plan payment by the amount of the additional disposable income, the parties jointly stipulate and agree that 5.1 of the Chapter 13 Plan is hereby modified to require allowed nonpriority unsecured claims that are not separately classified to receive a one hundred percent (100%) dividend in order for Debtor(s) to receive a discharge in this Chapter 13 case.

WHEREFORE, the above Stipulation and Agreement is well taken. **In order for Debtor(s) Kevin Lee Shearer to earn a discharge in this case, all timely filed, undisputed, non-priority, general unsecured creditors must receive a one hundred percent (100%) dividend.**

**IT IS SO ORDERED.**

###

**Submitted By:**

/s/ A. Michelle Jackson Limas \_\_\_\_\_  
Dynele L. Schinker-Kuharich (0069389)  
Chapter 13 Trustee  
A. Michelle Jackson Limas (0074750)  
200 Market Avenue North, Ste. 30  
Canton, OH 44702  
Telephone: 330.455.2222  
Facsimile: 330.754.6133  
Email: [DLSK@Chapter13Canton.com](mailto:DLSK@Chapter13Canton.com)

**Approved By:**

/s/ Deborah L. Mack \_\_\_\_\_  
Deborah L. Mack (0067347)  
Counsel for Kevin Lee Shearer  
53 East Main Street  
Lexington, OH 44904  
Telephone: 419.884.4600  
Facsimile: 419.571.8911  
Email: Debbie@ohiofinancial.lawyer

**NOTICES TO:**

Office of the United States Trustee, via the Court's Electronic Case Filing System at [RegisteredEmailAddress]@usdoj.gov

Office of the Chapter 13 Trustee, via the Court's Electronic Case Filing System at DLSK@Chapter13Canton.com

Deborah L. Mack, Counsel for Kevin Lee Shearer, via the Court's Electronic Case Filing System at Debbie@ohiofinancial.lawyer

All Creditors on the Attached Matrix, via regular mail

Kevin Lee Shearer, Debtor, via regular mail at:  
339 Hampton Road  
Lexington, OH 44904

Label Matrix for local noticing

0647-6

Case 19-62544-rk

Northern District of Ohio

Canton

Fri Aug 12 13:24:03 EDT 2022

United States Bankruptcy Court

Ralph Regula U.S. Courthouse

401 McKinley Avenue SW

Canton, OH 44702-1745

Americredit Financial Services, Inc. dba GM

PO Box 183853

Arlington, TX 76096-3853

PRA Receivables Management, LLC

PO Box 41021

Norfolk, VA 23541-1021

American Express National Bank

c/o Becket and Lee LLP

PO Box 3001

Malvern PA 19355-0701

American Express Trvl Srv

Attn: Bankruptcy

Po Box 981537

El Paso, TX 79998-1537

Amex

Po Box 297871

Fort Lauderdale, FL 33329-7871

(p)OHIO ATTORNEY GENERAL'S OFFICE

ATTN ATTN BANKRUPTCY UNIT COLLECTIONS ENFORCEMENT

30 E BROAD ST

14TH FLOOR

COLUMBUS OH 43215-3414

Attorney General of the US

Main Justice Building

10th & Constitution Ave, NW

Washington, DC 20530-0001

Avita Health System

269 Portland Way S

Galion, OH 44833-2312

Barclays Bank Delaware

Attn: Correspondence

Po Box 8801

Wilmington, DE 19899-8801

Capital One

Attn: Bankruptcy

Po Box 30285

Salt Lake City, UT 84130-0285

Capital One /Cabellas

PO Box 30258

Salt Lake City, UT 84130-0258

Capital One Bank (USA), N.A.

by American InfoSource as agent

PO Box 71083

Charlotte, NC 28272-1083

Citibank

Attn: Recovery/ Bankruptcy

Po Box 790034

St Louis, MO 63179-0034

Credit One Bank

Attn: Bankruptcy Dept

Po Box 98873

Las Vegas, NV 89193-8873

Debt Recovery Solutions of Ohio

Attn: Bankruptcy

PO Box 130

Mansfield, OH 44901

Debt Recovery Solutions of Ohio, Inc.

P.O. Box 1307

Mansfield, Oh 44901-1307

Directions Credit Union

200 N Saint Clair St

Toledo, OH 43604-1549

First Bankcard /Jeep

PO Box 2557

Omaha, NE 68103-2557

(p)FIRST NATIONAL BANK OF OMAHA

1620 DODGE ST

STOP CODE 3113

OMAHA NE 68102-1593

Huntington National Bank

PO Box 2360

Omaha, NE 68103-2360

Internal Revenue Service

PO Box 7346

Philadelphia, PA 19101-7346

(p)JEFFERSON CAPITAL SYSTEMS LLC

PO BOX 7999

SAINT CLOUD MN 56302-7999

LVNV Funding, LLC

Resurgent Capital Services

PO Box 10587

Greenville, SC 29603-0587

Mercury/FBT

Attn: Bankruptcy

Po Box 84064

Columbus, GA 31908-4064

Ohio Dept of Taxation

4485 Northland Ridge Blvd

Columbus, OH 43229-6596

Phillips & Cohen Assoc Ltd

Mail Stop: 661

1002 Justison St

Wilmington, DE 19801-5148

(p) PORTFOLIO RECOVERY ASSOCIATES LLC  
PO BOX 41067  
NORFOLK VA 23541-1067

Synchrony Bank  
c/o PRA Receivables Management, LLC  
PO Box 41021  
Norfolk VA 23541-1021

Synchrony Bank/Amazon  
Attn: Bankruptcy  
Po Box 965060  
Orlando, FL 32896-5060

Synchrony Bank/Walmart  
Attn: Bankruptcy  
Po Box 965060  
Orlando, FL 32896-5060

World's Foremost Bank  
Attn: Bankruptcy  
4800 Nw 1st St  
Lincoln, NE 68521-4463

Deborah L. Mack  
53 E Main Street  
Lexington, OH 44904-1224

Dynele L Schinker-Kuharich  
Office of the Chapter 13 Trustee  
200 Market Avenue North, Ste. LL30  
Canton, OH 44702-1435

Kevin Lee Shearer  
339 Hampton Rd  
Lexington, OH 44904-1072

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

AmeriCredit Financial Services, Inc.  
dba GM Financial  
P O Box 183853  
Arlington, TX 76096

Attorney General of Ohio  
Collection Enforcement Section  
Attn Bankruptcy Staff  
150 E Gay St, 21st Floor  
Columbus, OH 43215

First National Bank  
Attn: Bankruptcy  
1620 Dodge St Mailstop 4440  
Omaha, NE 68197

(d) First National Bank of Omaha  
1620 Dodge Street, Stop Code 3129  
Omaha, NE 68197

Jefferson Capital Systems LLC  
Po Box 7999  
Saint Cloud Mn 56302-9617

Portfolio Recovery Associates, LLC  
POB 12914  
Norfolk VA 23541

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u) AmeriCredit Financial Services, Inc.

(d) Citibank  
Attn: Recovery/Bankruptcy  
Po Box 790034  
St Louis, MO 63179-0034

(d) PRA Receivables Management, LLC  
PO Box 41021  
Norfolk, VA 23541-1021

End of Label Matrix  
Mailable recipients 37  
Bypassed recipients 3  
Total 40